

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA  
READING DIVISION**

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IN RE:	:	Chapter 13
<b>EDWARD MELHEM</b>	:	No. 18-12798-ref
	Debtor,	:
		:
<b>BOFI FEDERAL BANK,</b>	:	Hearing Date: 09/06/2018
	Movant,	Time: 9:30 a.m.
v.		Place: Madison Bldg., 3 <sup>rd</sup> Floor
<b>EDWARD MELHEM</b>		400 Washington St., Ct. Rm. 1
	Respondent.	Reading, PA 19601
		Responses Due: 08/27/2018

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**NOTICE OF MOTION FOR RELIEF FROM THE AUTOMATIC STAY  
NUNC PRO TUNC AND TO DISMISS DEBTOR'S CHAPTER 13 CASE  
PURSUANT TO 11 U.S.C. § 109(e)**

Secured Creditor, BofI Federal Bank, has filed a Motion, Alternatively for Adequate Protection, Relief from the Automatic Stay by Section 362 of the United States Bankruptcy Code, *Nunc Pro Tunc*, and for Dismissal Debtor's Chapter 13 Bankruptcy Case Pursuant to 11 U.S.C. §109(e).

1. **Your rights may be affected.** You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

2. If you do not want the Court to grant the relief sought in the motion, or if you want the Court to consider your views on the motion, then on or before August 27, 2018 (a date 14 days after service of the Motion), **you or your attorney must file a response to the Motion.**

3. **A hearing on the Motion is scheduled to be held on September 6, 2018 in Courtroom 1, of the United States Bankruptcy Court, The Madison Building, Third Floor, 400 Washington Street, Reading, PA 19601.** Unless the Court orders otherwise, the hearing on this contested matter will be an **evidentiary hearing**.

4. **If you do not file a response to the Motion,** the Court may cancel the hearing and enter an order granting the relief requested in the Motion.

5. You may contact the Bankruptcy Clerk's Office at (610) 320-5255 to find out whether the hearing has been canceled because no one filed a response.

6. If a copy of the Motion is not enclosed, a copy of the Motion will be provided to you if you request a copy from the attorney whose name and address is listed on the next page of this Notice.

### Filing Instructions

7. **If you are required to file documents electronically by Local Bankruptcy Rule 5005-1**, you must file your response electronically.

8. **If you are not required to file electronically**, you must file your response at:

Clerk U.S. Bankruptcy Court  
Robert N.C. Nix Federal Courthouse  
900 Market Street, Suite 400  
Philadelphia, PA 19107

9. **If you mail your response** to the Bankruptcy Court Clerk's office for filing, you must mail it early enough so the Court will receive it on or before the date stated above in Paragraph 2 on the previous page of this Notice.

10. On the same day that you file or mail your Response to the Motion, you must also mail or deliver a copy of the Response to the movant's attorney:

Robert J. Murtaugh, Esquire  
Chartwell Law  
970 Rittenhouse Road, Suite 300  
Eagleville, PA 19403  
[rmurtaugh@chartwelllaw.com](mailto:rmurtaugh@chartwelllaw.com)

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

**CHARTWELL LAW**

s/:Robert J. Murtaugh

Date: August 10, 2018

By: Robert J. Murtaugh, Esquire (#57494)  
*Counsel for Secured Creditor,  
BofI Federal Bank*